**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**APPELLATE SIDE**

**CRIMINAL APPLICATION NO. 342 OF 2007**
**IN**
**CRIMINAL REVISION APPLICATION NO. 499 OF 2007**

Mohammed Iqbal Bakkar. ... Applicant.

V/s.

Tahir Turki and another. ... Respondents.

Vinit Jain for the applicant.

K.V.Saste, APP for the State.

**CORAM: V.C.DAGA, J.**

**DATED: 5th October 2007.**

**P.C.:**

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. By this application, the applicant is seeking condonation of 64 days delay in filing revision application. The substantive revision application is directed against the order dated 19th April, 2007 passed in C.C.No.111/2004 by J.M.F.C, Khed, district-Ratnagiri, whereby the application seeking the document to be referred to the Hand Writing Expert came to be rejected. There is 64 days delay in filing revision application.

3. Firstly, the revision application is not maintainable against interlocutary order. Secondly, assuming it to be maintainable, there is hardly any merit in the revision. I, say so because I was taken through the merits of the matter to impress upon me that the applicant has good *prima facie* case for consideration. The delay has also not been explained properly. No sufficient muchless good cause is made out for condonation of delay. In this view of the matter, application is liable to be dismissed.

4. However, it is needless to mention that in the event applicant is required, after decision of the case on merits, to carry the matter in higher Court, then, at that stage, it would be open for him to set up challenge to the impugned order. As such, contentions on merits are kept open.

5. In the result, with the aforesaid observations, application is dismissed.

**JUDGE**